

Docket No. 1482/341

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of  
Olaf Vancura

Serial No.: 09/965,165

Filed: September 26, 2001

For: METHODS FOR A CUSTOMIZED  
CASINO GAME

Confirmation No. 3934

Group Art Unit: 3713

Examiner: Mendoza, Robert J.

Certificate of Mailing

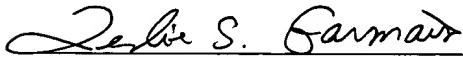
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Leslie S. Garmaise, Reg. No. 47,587

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

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To the Examiner,

Applicant presents the following remarks in response to the statement of reasons for allowance in the Notice of Allowance mailed March 30, 2004.

## REMARKS

The Examiner's statement of reasons for allowance recites:

"the prior art does not anticipate or suggest a player modifying at least one triggering symbol displayed during play of the base game in accordance with the selected at least one presented option and modifying a color of a triggering symbol in accordance with the selected at least one option." (emphasis added)

Applicant contends that the above statement is ambiguous in that it potentially leaves the erroneous impression that the claimed methods must recite both "modifying at least one triggering symbol displayed during play of the base game in accordance with the selected at least one presented option" and "modifying a color of a triggering symbol in accordance with the selected at least one option" to be patentable. This is not the case. Each of the three allowed independent claims (claims 27, 34, and 35) recites only one of the two limitations quoted above. Specifically, claims 27 and 35 recite "modifying at least one triggering symbol . . . ," and claim 34 recites "wherein said displaying comprises modifying a color . . . ."

Moreover, the Examiner's statement of reasons for allowance suggests that the allowed claims are limited to having "the player" perform the recited steps. However, the allowed independent claims are not so limited.

Accordingly, Applicant respectfully contends that a correct statement of the reasons for allowance would recite:

"the prior art does not anticipate or suggest either 'modifying at least one triggering symbol displayed during play of said base game in accordance with said selected at least one presented option' or 'modifying a color of a triggering symbol in accordance with the selected at least one option.'"

Should you have any questions regarding the above, please feel free to give the below-listed attorney a call. If additional fees are required, please debit our Deposit Account No. 04-1414.

Respectfully submitted,

DORR, CARSON, SLOAN, BIRNEY & KRAMER, P.C.

Date: 4/27/2004

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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/965,165	
	Filing Date	September 26, 2001	
	First Named Inventor	Olaf Vancura	
	Art Unit	3713	
	Examiner Name	Mendoza, Robert J.	
Total Number of Pages in This Submission	7	Attorney Docket Number	1482/341

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Comments on Statement of Reasons for Allowance
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert C. Dorr, Esq.
	Dorr, Carson, Sloan, Birney & Kramer, P.C.
Signature	
Date	April 27, 2004

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Date	April 27, 2004

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